

UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

	s	ERIAL NUMBER	FILING DATE	FIRST	IAMED INVENTOR		ATTORNEY DOCKET NO.
Û.	778	46,597	03/05/92	FULLERTON		<u>.</u>	FULLERTON.7 EXAMINER
C. A. PRILLIPS 1100 JORDAN LANE SUITE K HUNTSVILLE, AL., 35816-3039 This is a communication from the exercisor in charge of your approaches.						ART UN 2202 DATE MAILED	T PAPER NUMBER
COMMISSIONER OF PATENTS AND TRADEMARKS							
X	This	application has be	en examined	Responsive to commu	unication filed on 30	JUN 192	☐ This action is made final.
A shortened statutory period for response to this action is set to expire month(s), days from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133							
Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION: 35 U.S.C. 133							
1		Notice of Refere	ences Cited by Exam led by Applicant, Pl	niner, PTO-892.	2. Notice re F		PTO-948. pplication, Form PTO-152.
Part	11	SUMMARY OF	ACTION				•
1	. 🛚	Claims	-38				are pending in the application.
		Of the ab	ove, claims	1-11 + 21-	38	a	are withdrawn from consideration.
2	. \sqsubset	Claims	***************************************				have been cancelled.
3	. 🗆	Claims	·····	W7401	•		are allowed.
4	. 🗷	Claims /	2-20		<u> </u>		are rejected.
5	. 🗆	Claims					are objected to.
6	🗆	Claims		*	are	subject to restri	ction or election requirement.
7	. 🕱	This application	has been filed with	informal drawings under 37	C.F.R. 1.85 which are	acceptable for e	xamination purposes.
8	. 🗆	Formal drawings	are required in res	sponse to this Office action.			y.
9	. 🗆	The corrected of are accept	r substitute drawing able. not accep	s have been received on table (see explanation or No	tice re Patent Drawing	Under 37 g, PTO-948).	C.F.R. 1.84 these drawings
		examiner. 🔲 d	isapproved by the	ite sheet(s) of drawings, filed examiner (see explanation).			
. 11	. 🛭	The proposed drawing correction, filed on 305001952, has been 🖾 approved. 🗆 disapproved (see explanation).					
12	. 🗆	Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has Deen received not been rec					
		☐ been filed in	parent application,	serial no.	; filed on		
13	. 🗆			in condition for allowance e Ex parte Quayle, 1935 C.D.		ers, prosecution :	as to the merits is closed in
14	. 🗆	Other					

!

Please note in Amendment A of 30 June 1992, the change to be made on line 1 of page 12 of the Specification could NOT be made since there was no clear insertion point. Applicant must resubmit this change with a clear insertion point in the response to this Office Action.

Applicant's election of Group III (i.e., claims 12-20) in Paper No. 4 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP 818.03(a)).

Please note that Applicant's Amendment of 30 June 1992 is NOT a preliminary amendment since it was mailed after the restriction of the originally-filed claims. Since newly-added claims 23-38 fall outside of elected Group III (claims 12-20), claims 23-38 are non-elected claims, and have not been further treated on the merits. In addition, it is noted that there is no argument submitted with Amendment A as to which group claims 23-38 belong in. Thus, claims 23-38 are likewise non-elected without traverse.

Claims 12-20 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

On line 18 of independent claim 12, it is unclear what is meant by "signals derived from transmitted burst signals". And, on lines 8-9 of independent claim 15, it is unclear what is meant by "signals derived from transmitted said burst signals". In the disclosed invention, these "signals" (both claims 12 and 15) would be received signals, but, in claims 12 and 15, the "receiving means" is not claimed as receiving signals. Further, in claim 12, in that the "transmitted burst signals" are not "said transmitted burst signals", they can not be from the earlier-named "transmitting means"; however, there is no other disclosed source for these "signals". Line 18 of claim 12 must be amended to be clear on these points. Lines 8-9 of claim 15 must be amended to be clear on these points. On line 9 of claim 15, "transmitted said burst signals" lacks clear antecedent basis; it would appear that it ought to read "said transmitted burst signals". On lines 8-10 of claim 15, it is unclear what is meant by the "receiving means" being "responsive ... to times of initiation ...". On lines 8-8-10 of claim 15, it is unclear if "receiving means" is modified by the prepositional phrase "for coherently detecting ..." or not due to the separation of the two. On lines 3-4 of claim 12, Applicant mentions "stepped amplitude signals", while, on line 4 of claim 15, Applicant mentions "stepped, amplitude signals". It is unclear what is meant by the comma or by the lack of a comma when looking at these two Dependent claims 13-14 and 16-20 are unclear in that they depend from unclear independent claims 12 and 15.

Claims 12 and 15 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112.

Claims 13-14 and 16-20 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112 and to include all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cook is of interest as showing a system (Figure 1 on page 230) which is similar to Applicant's invention; however, Cook does not have Applicant's claimed "generating means" for generating stepped amplitude signals inter alia. Ross et al ('392) and Robbins ('316) are both of interest in showing base-band system similar to Applicant's invention; however, neither Ross et al ('392) nor Robbins ('316) shows Applicant's claimed "generating means" for generating stepped amplitude signals inter alia. Wheeler ('951) is of interest for showing a wide-band system similar to Applicant's invention; however, Wheeler ('951) does not show Applicant's claimed "generating means" for generating stepped amplitude signals inter alia.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Bernarr Gregory whose telephone number is (703)-308-0479. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-0766.

BERNARR E. GREGORY

ART UNIT 222 2 20 2